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1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN FRANCISCO DIVISION
4

5 **IN RE GOOGLE PLAY STORE**
6 **ANTITRUST LITIGATION**

7 THIS DOCUMENT RELATES TO:

8 *Epic Games, Inc. v. Google LLC et al.*,
9 Case No. 3:20-cv-05671-JD

10 *In re Google Play Consumer Antitrust Litigation*,
Case No. 3:20-cv-05761-JD

11 *State of Utah et al. v. Google LLC et al.*,
12 Case No. 3:21-cv-05227-JD

13 *Match Group, LLC et al. v. Google LLC et al.*,
14 Case No. 3:22-cv-02746-JD

Case No. 3:21-md-02981-JD

**DECLARATION OF MICHAEL J. ZAKEN
IN SUPPORT OF PLAINTIFFS' REPLY IN
SUPPORT OF PROPOSED REMEDY RE
GOOGLE'S DESTRUCTION OF CHAT
EVIDENCE**

Judge: Hon. James Donato

1 I, Michael J. Zaken, declare as follows:

2 1. I am a Partner at Cravath, Swaine & Moore LLP, counsel to Epic Games, Inc. (“Epic”)
3 in the above-captioned actions. I am admitted to appear before this Court *pro hac vice*.

4 2. I have personal, first-hand knowledge of the facts set forth in this Declaration. If called
5 as a witness, I could and would competently testify to these facts under oath.

6 3. Attached hereto as **Exhibit 1** is a true and correct copy of a document produced by
7 Google in this litigation beginning with the Bates number GOOG-PLAY-007335795.

8 4. Attached hereto as **Exhibit 2** is an excerpt of a true and correct copy of the deposition
9 transcript of Donald Harrison, taken in this litigation on August 23, 2022.

10 5. Attached hereto as **Exhibit 3** is an excerpt of a true and correct copy of the deposition
11 transcript of Lawrence Koh, taken in this litigation on December 9, 2021.

12 I declare under penalty of perjury under the laws of the United States of America that the
13 foregoing is true and correct. Executed on this 12th day of October, 2023 at New York, New York.

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15
16 /s/ Michael J. Zaken

17 Michael J. Zaken
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E-FILING ATTESTATION

I, Lauren A. Moskowitz, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

/s/ Lauren A. Moskowitz
Lauren A. Moskowitz